

REMARKS

The indication of allowable subject matter in claims 1-4 is acknowledged and appreciated. For the following reasons, it is respectfully submitted that all claims are in condition for allowance.

Claims 5-10 stand rejected under 35 U.S.C. § 103 as being unpatentable over Applicants' admitted prior art ("APA") in view of Hosotani '506 ("Hosotani"). Claim 5 is independent. This rejection is respectfully traversed for the following reasons.

In order to expedite issuance of the present application, claim 5 has been amended without prejudice or disclaimer to the subject matter embodied thereby. In particular, claim 5 recites in pertinent part, "the memory ... outputting a program located at an address corresponding to the address signal and a program located at an address immediately preceding the address corresponding to the address signal *in the same fetch cycle*" (emphasis added). According to an aspect of the present invention, the memory can output two programs in a given fetch cycle so as to enable a reduction in cycles and an improvement in process speed.

In contrast, both APA and Hosotani disclose conventional memory which outputs *only one* program at the address corresponding to the received address signal in a given fetch cycle. Indeed, APA and Hosotani expressly reference outputting a single program for a given fetch cycle (e.g., page 1, lines 19-20 and page 2, lines 24-25 of Applicants' specification; and col. 6, lines 3-5 of Hosotani). In this regard, neither APA nor Hosotani discloses or suggests the operation and construction of the memory provided in the novel combination of elements recited in claim 5.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claim 5 because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 5 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's

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amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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